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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

JOSE DE JESUS RAMIREZ ACOSTA; et
al.,

Petitioners,

v.

ALBERTO R. GONZALES, Attorney
General,

Respondent.

No. 04-74382

Agency Nos. A78-642-565
A78-642-566

MEMORANDUM^{*}

On Petition for Review of an Order of the
Board of Immigration Appeals

Submitted November 8, 2005^{**}

Before: WALLACE, LEAVY and BERZON, Circuit Judges.

Jose de Jesus Ramirez Acosta, a native and citizen of Mexico, and his wife,
Maria Magdalena Bueno de Ramirez, also a native and citizen of Mexico,

^{*} This disposition is not appropriate for publication and may not be
cited to or by the courts of this circuit except as provided by 9th Cir. R. 36-3.

^{**} The panel unanimously finds this case suitable for decision without
oral argument. *See* Fed. R. App. P. 34(a)(2).

petition for review of an order of the Board of Immigration Appeals (“BIA”) summarily affirming an immigration judge’s (“IJ”) denial of their applications for cancellation of removal. We dismiss the petition for review.

We lack jurisdiction to consider the petitioners’ sole contention that the BIA’s statutory interpretation of section 240A of the Immigration and Nationalization Act violates Congressional intent because this issue was never raised before the BIA. *See Barron v. Ashcroft*, 358 F.3d 674, 678 (9th Cir. 2004) (no jurisdiction over legal claims not presented to the BIA).

PETITION FOR REVIEW DISMISSED.